

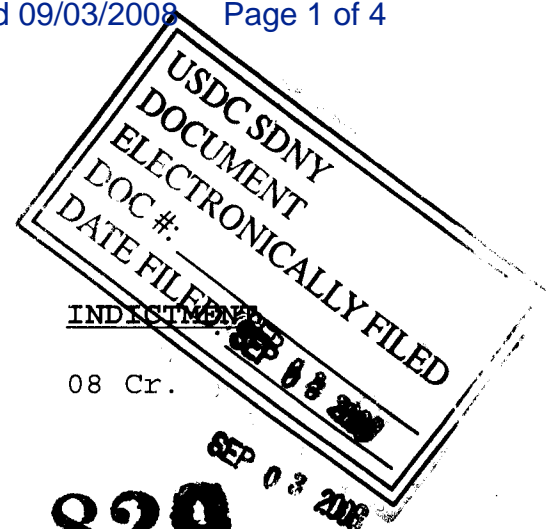
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CHUNG ENG,  
a/k/a "Phil,"

Defendant



COUNT ONE

The Grand Jury charges:

1. From in or about August 2007, up to and including in or about January 2008, in the Southern District of New York and elsewhere, CHUNG ENG, a/k/a "Phil," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CHUNG ENG, a/k/a "Phil," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing 3,4-Methylenedioxymethamphetamine (MDMA), which is commonly known as "ecstasy," in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others,

were committed in the Southern District of New York, and elsewhere:

a. On or about August 14, 2007, a co-conspirator not named herein ("CC-1") traveled through Manhattan, along with a cooperating witness (the "CW") in connection with a transaction involving approximately 100 ecstasy pills.

b. On or about August 23, 2007, in Queens, New York, CC-1 provided the CW with approximately 100 ecstasy pills, in exchange for cash.

c. On or about September 17, 2007, in Queens, New York, CHUNG ENG, the defendant, provided a co-conspirator not named herein ("CC-2") with approximately 500 ecstasy pills, which were subsequently provided to the CW, in exchange for cash.

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION AS TO COUNT ONE**

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, CHUNG ENG, a/k/a "Phil," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

5. If any of the above-described forfeitable

property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

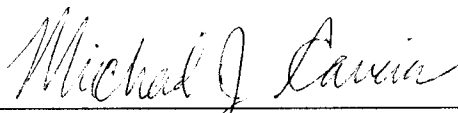
d. has been substantially diminished in value;  
or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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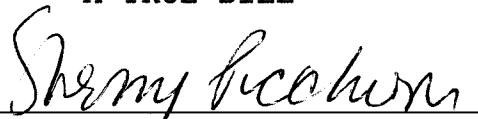
INDICTMENT

08 Cr.

(Title 21, United States Code,  
Sections 812, 841(a)(1), 841(b)(1)(C), and 846.)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
Foreperson.

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